IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1476 OF 2007

Uttam Nivrutti Pokale. ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Ms.Rupali Deo-Sathe, Adv. for the Applicant.
Mr.S.S.Pednekar, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 26th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicant and the learned APP for the State.

2. The applicant is seeking anticipatory bail in C.R.No.112 of 2007 of Haweli Police Station. The said case is mainly under Sections 420, 467 of IPC.

3. The applicant has preferred an application for anticipatory bail before the concerned Sessions Court. The said application came to be rejected by the learned Sessions Judge by order dated 23.4.2007, not on merits but only on the ground that the applicant was not present before the Court. The learned Advocate for the applicants states that there was no earlier order by the Sessions Court directing the applicant to

remain present in the Court on that day. It is further pointed out that infact the applicant was in hospital and as there was no order of the Sessions Court directing him to remain present on that day, the applicant did not remain present on that day in Court.

4. Looking to the above facts, I am inclined to pass the following order:-

ORDER

i. The applicant is granted liberty to prefer fresh application for anticipatory bail before the concerned Sessions Court. The learned Sessions Judge shall dispose of the said application in accordance with law.

ii. To enable the applicant to prefer necessary application for anticipatory bail before the concerned Sessions Court, the applicant is granted interim protection in respect of arrest till 9th May, 2007.

iii. Application is disposed of.

(SMT.V.K.TAHILRAMANI,J.)